

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Michael R. Medal-Mendoza,

Civil No. 07-4591 (RHK/SRN)

Petitioner,

ORDER

v.

The State of Minnesota and Joan
Fabian, Commissioner of Corrections,

Respondents.

The above-entitled matter comes before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. Timely Objections (described as a “Response”) were filed to that Report and Recommendation. Based on the undersigned’s de novo review of the Report and Recommendation and Petitioner’s Objections thereto, and on all of the files, records, and proceedings herein, **IT IS ORDERED:**

1. The Objections (Doc. No. 15) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 14) is **ADOPTED**;
3. The Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1) is **DENIED**; and
4. Petitioner’s Motion for Immediate Release from Custody or Issuance of Writ (Doc. No. 9) is **DENIED**.

Dated: July 3, 2008

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge